

CHAPTER 1244 Site Plan Procedures

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CROSS REFERENCES

Application of regulations - see Code of Va. §15.2-2249
 Disagreements with municipalities - see Code of Va. §15.2-2250
 Administration and enforcement of County regulations - see Code of Va. §15.2-2255
 Subdivision roll-back taxes - see B.R. & T. 848.055
 Street signs in planned developments and subdivisions - see S.U. & P.S. 1021.07
 Authority of Board of Supervisors re site development plans - see P. & Z. 1242.01(2)

1244.01 APPLICABILITY OF SITE PLAN REGULATIONS.

Any developer of any tract of land in the County shall submit a site plan for the following uses as established by the Loudoun County Zoning Ordinance:

- (1) All uses in the commercial districts.
- (2) All uses in the industrial districts.
- (3) All permitted uses in the residential districts, except for agricultural structures and single-family attached and detached dwellings, and accessory uses and structures allowed under Section 5-101 of the Zoning Ordinance.
- (4) Those special exception uses and structures which require a site plan.
- (5) Any development in which any required off-street parking space is to be used by more than one establishment.
- (6) When an alteration is proposed to the site improvements or design of a previously approved site development plan.
- (7) When an existing residential use is proposed for a change to a commercial, industrial, or multi-family residential use.
- (8) All public buildings and institutions.
- (9) All other uses involving a building required to be reviewed by the Planning Commission under Section 15.2-2232, of the Code of Virginia, as amended.
(Ord. 00-04. Passed 4-29-00.)

1244.02 SITE PLAN.

- (1) The developer shall submit paper copies of the site plan to the Director for staff review along with all other documents specified in this Ordinance and the Facilities Standards Manual. The Director may require a greater or fewer number of copies of the site plan as it determines to be appropriate.
- (2)
 - (a) Upon receipt of the site plans and all documents and requirements specified in this Ordinance and the Facilities Standards Manual, the Director shall determine, within five (5) working days, if the site plan and documents comply with all applicable rules and regulations. If all plans and documents are in order, the Director shall forward said plans and documents to the Virginia Department of Transportation, and other affected agencies. Upon making a determination that all documents are in order, the site plan shall be deemed to be officially submitted and the date of such official submittal shall establish the filing date. The Director's determination that a site plan application qualifies to be officially submitted shall not be deemed a determination that the plan meets requirements for approval, which approval may only be given by the Director subject to the standards set forth in this section after the procedural requirements for review and responsive comment have been met.
 - (b) Once an application for site plan approval has been submitted, any site plan application submitted thereafter for the same property while the initial application is still pending shall be deemed withdrawal of the initial application.
- (3)
 - (a) Within sixty (60) days after the acceptance of the site plan, the Director shall approve such site plan, to be evidenced by his signature on the site plan, provided that the requirements and provisions of this Ordinance, the Facilities Standards Manual, and all other applicable ordinances shall be met.
 - (b) If such requirements are not met, the Director shall not approve such site plan. Specific reasons for disapproval shall be set forth in writing and shall identify deficiencies in the plan which cause the disapproval by reference to specific duly adopted ordinances, regulations or policies, and shall generally identify such modifications or corrections as will permit approval of the plan. A disapproval may be appealed to the Planning Commission in accordance with the provisions of Section 1242.05(3). Nothing herein shall be interpreted so as to preclude the filing of a new site plan for the same development or property if no such appeal is pending.
- (4) After approval of a site plan, construction shall begin within five (5) years, or the site plan is void. Construction shall be defined as to include the placing of

construction materials in permanent position and fastened in a permanent manner and work carried on diligently. Where excavation or demolition or removal of an existing building has been substantially begun prior to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

- (5) An extension of the validity of the site plan may be made on a yearly basis by the Director upon the written request of the developer. The reasons for this request must be stated. The Director may deny the request if the reasons submitted with the request do not demonstrate that development, in accordance with the approved site plan, has been diligently pursued. In conjunction with the request for any extension, the site plan shall be reviewed for conformance with all current regulations contained in the Subdivision Ordinance, the Facilities Standards Manual, and the Zoning Ordinance at the time such review is undertaken. No extension shall be granted until any non-conformance is corrected.
- (6) Prior to approval of the site plan and any related performance agreements and surety, the developer shall submit a request for assignment of addresses as provided in the Codified Ordinances of Loudoun County, as amended. Zoning and building permits shall be issued in accordance with the approved site plan following the assignment of addresses.
(Ord. 00-04. Passed 4-29-00.)

1244.03 SITE PLAN AMENDMENT.

- (1) The developer shall submit paper copies of the amended site plan to the Director for staff review along with all other documents specified in this Ordinance and the Facilities Standards Manual. The Department may require a greater or fewer number of copies of the amended site plan as it determines to be appropriate.
- (2)
 - (a) Upon receipt of the amended site plans, construction plans and all documents and requirements specified in this Ordinance and the Facilities Standards Manual, the Director shall determine, within five (5) working days, whether the amended site plan and documents comply with all applicable rules and regulations. If all plans and documents are in order, the amended site plan shall be deemed to be officially submitted, and the date of such official submittal shall establish the filing date. The Director's determination that an amended site plan application qualifies to be officially submitted shall not be deemed approval, which approval may only be given by the Director subject to the standards set forth in this section after the procedural requirements for review and responsive comments have been met.
 - (b) Once an application for an amended site plan approval has been submitted, any site plan application submitted thereafter for the same

property while the initial application is still pending shall be deemed withdrawal of the initial application.

- (3) (a) Within thirty (30) days after official submittal of the amended site plan, the Director shall approve such plan to be evidenced by his signature on the amended site plan, provided that the requirements and provisions of this Ordinance, the Facilities Standards Manual and all other applicable ordinances have been met.
- (b) If such requirements are not met, the Director shall not approve such amended site plan. Specific reasons for disapproval shall be set forth in writing and shall identify deficiencies in the plan which cause the disapproval by reference to specific duly adopted ordinances, regulations or policies, and shall generally identify such modifications or corrections as will permit approval of the plan. A disapproval may be appealed to the Planning Commission in accordance with the provisions of Section 1242.05(3). Nothing herein shall be interpreted so as to preclude the filing of a new amended site plan for the same development or property if no such appeal is pending.
- (4) If the amended site plan proposes alteration of an existing structure, construction shall begin within one (1) year or the amendment to the site plan is void. If the amended site plan is proposed to amend a currently valid approved site plan which construction has not yet been completed, the validity of the amended site plan shall be for the same period of time as the originally approved plan. The approved site plan amendment shall be deemed to merge with the original approved site plan, and that plan as amended shall be deemed the final site plan, and shall be subject to the provisions of Section 1244.02 of this Ordinance. "Construction" shall be defined as including the placing of construction and materials in permanent position and fastened in a permanent manner and work carried on diligently. Where excavation or demolition or removal of an existing building has begun prior to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that the work shall be carried on diligently.
- (5) Prior to the approval of the site plan amendment and any related performance agreements and surety, the developer shall submit a request for assignment of addresses as provided in the Codified Ordinances of Loudoun County, as amended. Zoning and building permits shall be issued in accordance with the approved amended site plan following the assignment of addresses, if applicable.
(Ord. 00-04. Passed 4-29-00.)